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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.        | CONFIRMATION NO.       |
|---|-------------|----------------------|----------------------------|------------------------|
| 10/662,101  | 09/12/2003  | Jeffrey George       | 60518-174                  | 9106                   |
| 27305 7590 06/14/2007<br>HOWARD & HOWARD ATTORNEYS, P.C.<br>THE PINEHURST OFFICE CENTER, SUITE #101<br>39400 WOODWARD AVENUE<br>BLOOMFIELD HILLS, MI 48304-5151 |             |                      | EXAMINER<br>LEIVA, FRANK M |                        |
|   |             |                      | ART UNIT<br>3714           | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>06/14/2007    | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/662,101

Applicant(s)

GEORGE ET AL.

Examiner

Frank M. Leiva

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :1/16/2004;  
5/23/2005; 11/29/2005; (3) 3/25/2007..

## DETAILED ACTION

### *Priority*

1. Applicant's claim for the benefit under 35 U.S.C. 120, of Continuation in Part of application number 09/967571 filed on 28 September 2001 is acknowledged. Any claims solely directed to originally supported subject matter present in the parent application will receive benefit of the filing date of the earlier filed application.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Benoy et al. (US 6,896,618 B2) herein after Benoy.**

4. **Regarding claims 1 and 24;** Benoy discloses a gaming network of casino games that implement a player tracking system and includes adjusting the players comp points information and attendant tool to assist players on the floor, (Abstract; Col. 4:19-34, Fig. 3a-b).

5. **Regarding claims 2-5 and 25-28;** Benoy discloses a remote system coupled with a wireless network interface using IEEE 802.11 standard, IEEE 802.11b and IEEE 802.11g, (Col. 10:6-37).
6. **Regarding claims 6,7, 19-23, 29-32, 40-44;** Benoy discloses using a wide area network system such as the Internet to communicate with remote devices. The examiner takes official notice that the use of Java servlets and web pages to assist user interaction with network programs is essential for today's internet applications, being Java the most popular yet not the only available language, the examiner can not claim that Java is inherent, yet the use of such web page creating languages is inherent, this including a login page, a menu layer, and hyper text mark up language.
7. **Regarding claims 8-18, 30, 31, and 33-39;** Benoy discloses a player tracking point system with a database that includes player information such as a player ID, address, time on games and much more, all databases use relational tables, and the data is formatted in such a manner as to be presented to a user in a format that they can comprehend. Relational tables being formed from a first data and second data to form a third data or fourth data table.

### ***Citation of Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rowe et al (US 6,800,029 B2), portable device for rating players. Walker et al. (US 6,582,310 B1), enhanced player retention (player tracking systems). Wells (US 2003/0064805 A1), wireless game player. Criss-Puszkiewics et al (US 2002/0155887 A1), Universal Player Tracking System. McNutt et al (US 2001/0036858 A1), recognizing preferred wagerers.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank M. Leiva whose telephone number is (571) 272-2460. The examiner can normally be reached on M-Th 8:30am - 5:pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FML

06/08/2007



Robert E Pezzuto

Supervisory Patent Examiner

Art Unit 3714